

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CARY LEE PETERSON,

Case No.: 2:20-cv-00787-APG-DJA

## Plaintiff

V.

GUARDIAN FOR J. DOE, JOHN DOE,

## Defendant

# Order Accepting Report and Recommendation, Denying Application to Proceed in Forma Pauperis, and Setting Deadline to Pay Filing Fee

[ECF Nos. 4, 5]

On May 21, 2020, Magistrate Judge Albregts recommended that plaintiff Cary Peterson's

application to proceed in forma pauperis be denied and that I set a deadline for him to pay the

10 full \$400 filing fee. ECF No. 5. Peterson did not file objection. Thus, I am not obligated to

11 | conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring

12 district courts to "make a de novo determination of those portions of the report or specified

<sup>13</sup> proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114,

<sup>14</sup> 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings

15 and recommendations *de novo if objection is made, but not otherwise*" (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation

17 | **(ECF No. 5) is accepted** and plaintiff Cary Peterson's application for leave to proceed in forma

ris (ECF No. 4) is DENIED.

I FURTHER ORDER that by July 22, 2020, plaintiff Cary Peterson shall pay the full

filings fee of \$400. Failure to pay the fee will result in this case being dismissed without

prejudice.

DATED this 22nd day of June, 2020.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE